

REGULAR MEETING of the Town Council held on Wednesday, October 26, 2005 at 7:00 o'clock P.M. in the Town Council Chambers, Town Building, 105 Harrisville Main St., Harrisville, for and within the Town of Burrillville.

MEMBERS PRESENT: Council President Wallace F. Lees; Councilors Jacqueline Zahn, William A. Andrews, Nancy F. Binns, Ronald E. Faford and William E. Gonyea.

MEMBERS ABSENT: Councilor Margaret L. Dudley was excused due to illness.

1. Council President Wallace F. Lees led those present in pledging allegiance to the flag.

2. VOTED to accept the minutes of the regular meeting held October 12, 2005, and the emergency meeting of October 15, 2005; and dispense with the reading of said minutes.

Motion by Councilor William A. Andrews. Seconded by Councilor Nancy F. Binns. The motion was unanimous by the six members present. Voting in favor of the motion were Council President Wallace F. Lees, Councilors Jacqueline Zahn, William A. Andrews, Nancy F. Binns, Ronald E. Faford and William E. Gonyea. Councilor Margaret L. Dudley was excused.

3. Public Comment:

David Brunetti of Harrisville distributed a flyer relative to global warming workshops and invited the Town Council to attend a session from 1:00 to 5:00 p.m. on November 9, 2005.

Bruce Rylah of Pascoag invited the Town Council to attend Jack O' Lantern festivities on October 27, 2005 in downtown Pascoag.

4. General Good and Welfare of the Town of Burrillville.

Councilor Nancy Binns and Michael C. Wood, Town Manager, were wished happy birthdays.

Michael C. Wood, Town Manager, discussed the Conservation Commission's gateway project.

Michael C. Wood, Town Manager, requested Town Council attendance at a public hearing related to the redevelopment of downtown Pascoag, to be held at the Pascoag Utility District office.

Michael C. Wood introduced a discussion of the serious storms during the preceding weeks. Mr. Wood discussed the progress made and the problems that continued to be addressed. Mr. Wood explained that there was a call center at the police station and that Waste Management had agreed to remove storm-related debris

through the end of October.

Mr. Wood noted that the town departments and officials had done a commendable job in dealing with the situation. Mr. Wood particularly acknowledged the efforts of Lt. Kevin San Antonio and Director of Public Works Richard Bernardo who arrived early Friday, stayed on site throughout the weekend and coordinated activities.

Councilor William A. Andrews pointed out that when the charter was amended eliminating the residency requirement for Town employees, he had been concerned about emergency situations. Councilor Andrews noted with pleasure that all employees who were asked to come to work during the storm complied with the request.

Councilor Jacqueline Zahn commended Michael C. Wood, Town Manager, who returned from vacation due to the state of emergency. Resident Kevin Blais, Harrisville, mentioned storm photos posted to the Town website. Barbara A. VonVillas, Ph.D., Superintendent of Schools, commended the school department maintenance department, whose efforts ensured that the schools were able to open despite concerns with transportation and flooding.

5. Petitions: None

6. Special Business:

05-332 VOTED to open the correspondence from Michael C. Wood, Town Manager, regarding recognition of the Lion's Club and Roots 'n Shoots for their efforts in the town beautification program.

Motion by Councilor Jacqueline Zahn. Seconded by Councilor William A. Andrews. The motion was unanimous by the six members present. Voting in favor of the motion were Council President Wallace F. Lees, Councilors Jacqueline Zahn, William A. Andrews, Nancy F. Binns, Ronald E. Faford and William E. Gonyea. Councilor Margaret L. Dudley was excused.

Discussion: Michael C. Wood, Town Manager, discussed the Adopt-a-Spot program that was created to encourage beautification projects. Mr. Wood said that the Lion's Club was among the first groups to participate and Roots 'n Shoots was responsible for the most recent project, located at Mowry Road Park. Members of the Lion's Club and the Espositos from Roots 'n Shoots were thanked by the Town Council.

05-333 VOTED to grant renewal of Private Detective License #4 to Gerald L. Lapierre of 673 Douglas Pike, Harrisville.

Motion by Councilor Jacqueline Zahn. Seconded by Councilor Ronald E. Faford. The motion was unanimous by the six members present. Voting in favor of the motion were Council President Wallace F. Lees, Councilors Jacqueline Zahn, William A. Andrews,

Nancy F. Binns, Ronald E. Faford and William E. Gonyea. Councilor Margaret L. Dudley was excused.

05-334 VOTED to grant a special event victualing license from Cub Scout Pack #188 to apply at St. Theresa's Church, 35 Dion Drive, Nasonville.

Motion by Councilor Jacqueline Zahn. Seconded by Councilor William E. Gonyea. The motion was unanimous by the six members present. Voting in favor of the motion were Council President Wallace F. Lees, Councilors Jacqueline Zahn, William A. Andrews, Nancy F. Binns, Ronald E. Faford and William E. Gonyea. Councilor Margaret L. Dudley was excused.

7. Unfinished Business: None

8. New Business:

05-335 VOTED to receive and open the correspondence from David Brunetti, Chairman, Callahan School Building Committee, regarding Town Council review and consideration of the proposed Callahan renovation budget.

Motion by Councilor William A. Andrews. Seconded by Councilor Jacqueline Zahn. The motion was unanimous by the six members present. Voting in favor of the motion were Council President

Wallace F. Lees, Councilors Jacqueline Zahn, William A. Andrews, Nancy F. Binns, Ronald E. Faford and William E. Gonyea. Councilor Margaret L. Dudley was excused.

Discussion: David Brunetti, Chairman of the Callahan School Building Committee, indicated that the budget presented to the Council was a pre-bid estimate and that bids from contractors would be open in early November. Mr. Brunetti reviewed the projection, noted that several items had been added to the base bid from the original scope of work because the committee believes these items to be necessary. Additionally, several items had been added as well as several alternates to the base bids. Included in the additions and alternates were painting, replacement of ceiling tiles, roof repairs, restroom fixtures, etc. Mr. Brunetti indicated that the Committee would seek grant money for playground equipment and identified the expansion of the gymnasium as a deduct alternate.

Mr. Brunetti explained that the committee believed the bids would be approximately \$5,896,183 for construction and detailed others costs, for a total of \$7,398,869.

Councilor Jacqueline Zahn asked about damage to the school as a result of the flooding in October 2005. Mr. Brunetti, indicated that the flooding would not affect the project; he and committee member Roger Robert discussed the aspects of the project that would alleviate the long-standing flooding problem.

VOTED to approve the budget.

Motion by Councilor Jacqueline Zahn. Seconded by Councilor Nancy F. Binns. The motion was unanimous by the six members present. Voting in favor of the motion were Council President Wallace F. Lees, Councilors Jacqueline Zahn, William A. Andrews, Nancy F. Binns, Ronald E. Faford and William E. Gonyea. Councilor Margaret L. Dudley was excused.

05-336 VOTED to open the correspondence from Bernadette Schuster, Clerk to the Library Building Committee, regarding presentation of an update and status of the Library project; and correspondence from Michael C. Wood, Town Manager, related to the project.

Motion by Councilor Jacqueline Zahn. Seconded by Councilor William E. Gonyea. The motion was unanimous by the six members present. Voting in favor of the motion were Council President Wallace F. Lees, Councilors Jacqueline Zahn, William A. Andrews, Nancy F. Binns, Ronald E. Faford and William E. Gonyea. Councilor Margaret L. Dudley was excused.

Discussion: David Ketcham, Ph.D., Vice Chair of the Library Building Committee asked that Jay Litman, project architect, be allowed to provide an update to the project. Mr. Litman reported that the

construction documents were half complete. He described the proposed building. Mr. Litman said that, because the library is the first part of the Stillwater Redevelopment, the project was taking an ambitious role in establishing the plan. Mr. Litman discussed the parking, the exterior materials proposed, changes proposed to lower costs, and described changes to the river wall and the river walk. Mr. Litman explained that much of the site work would be in response to the Stillwater Master Plan. The project, he said, was expected to go out to bid in December and ground broken in early March.

Council President Wallace F. Lees pointed out that the original design of the Burrillville High School resulted in heating issues and asked whether this project would encounter similar problems. Mr. Litman described the heating system, the differences between schools and libraries in design and use, better energy codes and improved materials that would prevent those problems. Councilor Zahn pointed out that corridors between buildings at the high school created the problem and that the library design is a single building.

Dr. Ketcham reported on the activities of the building committee: the design/development phase is complete and the construction documentation is underway. Value exercises related to cost reduction had been conducted which resulted in slight reconfiguration while complying with requirements and realized a savings of one half million dollars. Dr. Ketcham said that the committee considered and rejected a plan to move the library to a different location on the site. He said that much permitting is

complete, the balance underway. Grant applications have been filed and the fundraising committee has begun their efforts. Dr. Ketcham addressed the complexity of building on an old industrial site and discussed the costs associated with site remediation and infrastructure.

Dr. Ketcham distributed a spreadsheet of estimates/reimbursements, emphasizing that reimbursement figures in particular are negotiable and noted that the contingencies are relatively high because of unknown issues on site. The projected cost, he said, was approximately seven and one half million dollars, of which 2.7 million would be reimbursable through OLIS. Additionally, there are about two million dollars in grants and two million dollars in loans associated with the project.

Dr. Ketcham indicated that a signed contract for the reimbursement arrangement with OLIS would be necessary before going out to bid; and funding for the project must be in place before the contract could be signed. There was discussion of the funding, reimbursement, grants, and so on.

Jay Litman, architect, described the site remediation and infrastructure in more detail. He explained how the site preparation results in higher costs. He pointed out that while the site and infrastructure costs are unusual for a library project, the location is excellent for a library and the reimbursements are higher than they

would be for a more traditional library location.

Michael C. Wood, Town Manager, elaborated on OLIS funding, loans and grants and the complexities of the scheduling of the various sources. In the end, he said, it would be necessary for the Town to decide whether they would be willing to make a funding commitment, while anticipating reimbursement through the various sources. Councilor Zahn likened the funding situation to the renovation of Spring Lake Beach, when the Council committed funds for the entire project and ultimately much of the money was recouped through grants.

Bruce Rylah of Pascoag supported the library project. He said he originally supported the Stillwater location but wondered whether the Mill Pond was visible from the building. Mr. Litman said that the library was along the river and that the Pond was visible from the second level of the children's library.

Mr. Rylah suggested that the arched roof over a portion of the building was not in keeping with the historic appearance of the Stillwater property. Mr. Litman explained that the intent was to create an assembly of buildings that recall the fabric of an industrial development rather than to replicate buildings. Mr. Rylah voiced concerns about energy conservation in the domed portion of the building, about the possibility that the parapet might result in ponding of water, and asked for clarification of costs. Dr. Ketcham

reviewed the costs, reimbursements and anticipated grants.

Kevin Blais of Harrisville said that the library approved by the voters was twenty percent larger than the current proposal and suggested that costs had increased eighty percent. Mr. Blais recalled that a level III environmental had been complete and that environmental should not exceed \$300,000.

Dr. Ketcham described the changes to the design, noting that the size of the library has not changed. Dr. Ketcham reviewed the open meeting process, the many discussions of costs, the need to complete remediation at the site whether for the library or another project, and reviewed the costs, reimbursements and anticipated grants.

Michael C. Wood, Town Manager, reviewed the process of developing the library proposal, site selection and the effort to raise grant money to complete the project as intended. Mr. Wood pointed out that site remediation and infrastructure would have to be addressed whether or not the library were to be built on the site. The fact that State reimbursement would be greater for a library project was discussed.

Walter J. Kane, Town Solicitor, explained that the site had been determined to be a blighted area and that the Town had established an agency to redevelop blighted areas. Mr. Kane said that it was understood that the redevelopment would involve substantial sums.

Mr. Kane discussed why linking the library project to the Stillwater Master Plan is economically sound.

Kevin Blais of Harrisville asked whether increased costs would result in another referendum. There was discussion that this matter would not require another referendum.

VOTED to receive and file.

Motion by Councilor Jacqueline Zahn. Seconded by Councilor William E. Gonyea. The motion was unanimous by the six members present. Voting in favor of the motion were Council President Wallace F. Lees, Councilors Jacqueline Zahn, William A. Andrews, Nancy F. Binns, Ronald E. Faford and William E. Gonyea. Councilor Margaret L. Dudley was excused.

05-337 VOTED to open the award of \$172,000 for CDBG from the State of Rhode Island to offset a portion of remediation activities at the site of the proposed library (Map160/Lot 80).

Motion by Councilor Jacqueline Zahn. Seconded by Councilor Nancy F. Binns. The motion was unanimous by the six members present. Voting in favor of the motion were Council President Wallace F. Lees, Councilors Jacqueline Zahn, William A. Andrews, Nancy F. Binns, Ronald E. Faford and William E. Gonyea. Councilor Margaret L. Dudley was excused.

Discussion: Thomas J. Kravitz described the CDBG process and noted that these funds were intended for the remediation at the Stillwater site.

VOTED to accept.

Motion by Councilor William A. Andrews. Seconded by Councilor Jacqueline Zahn. The motion was unanimous by the six members present. Voting in favor of the motion were Council President Wallace F. Lees, Councilors Jacqueline Zahn, William A. Andrews, Nancy F. Binns, Ronald E. Faford and William E. Gonyea. Councilor Margaret L. Dudley was excused.

05-338 VOTED to approve a transfer of CIP funds from the 2004 CIP Wallum Lake Canoe Launch budget to the Route 102 Gateway project as requested by Stephen N. Rawson, Chairman, Burrillville Conservation Commission.

Motion by Councilor Jacqueline Zahn. Seconded by Councilor Ronald E. Faford. The motion was unanimous by the six members present. Voting in favor of the motion were Council President Wallace F. Lees, Councilors Jacqueline Zahn, William A. Andrews, Nancy F. Binns, Ronald E. Faford and William E. Gonyea. Councilor Margaret L. Dudley was excused.

05-339 VOTED to declare surplus certain items as listed in the correspondence from Edward J. Pienkos, Information Systems Manager.

Motion by Councilor William A. Andrews. Seconded by Councilor Jacqueline Zahn. The motion was unanimous by the six members present. Voting in favor of the motion were Council President Wallace F. Lees, Councilors Jacqueline Zahn, William A. Andrews, Nancy F. Binns, Ronald E. Faford and William E. Gonyea. Councilor Margaret L. Dudley was excused.

05-340 VOTED to open the correspondence from Michael C. Wood, Town Manager, regarding discussions and considerations related to assigning use of town-owned property at 111 Chapel Street, Harrisville.

Motion by Councilor Jacqueline Zahn. Seconded by Councilor Ronald E. Faford. The motion was unanimous by the six members present. Voting in favor of the motion were Council President Wallace F. Lees, Councilors Jacqueline Zahn, William A. Andrews, Nancy F. Binns, Ronald E. Faford and William E. Gonyea. Councilor Margaret L. Dudley was excused.

Discussion: Michael C. Wood, Town Manager, explained that, at the Town Council's direction, the ambulance building on Chapel St., Harrisville had been acquired. Mr. Wood said that the federal lien on

the building was being addressed. Mr. Wood suggested that the Town Council consider the use of the building. Mr. Wood said that if the Town Council wanted to convey the building to another group, the process could be examined. Alternatively, the Town Council might prefer to allow a group or groups to use the building. Councilor Jacqueline Zahn raised the question of the Veteran's group that had inquired about use of the building. Councilor William A. Andrews commented that the American Legion in Nasonville would be interested in using the building and would be willing to serve as custodians of the building while allowing other groups to use it. Councilor Andrews suggested that the ambulance building would be a suitable polling place for the precinct.

VOTED to have the Manager discuss with Richard Peck or those in charge of that organization and ask them what responsibilities they would be willing to take on.

Motion by Councilor William A. Andrews. Seconded by Councilor Ronald E. Faford. The motion was unanimous by the six members present. Voting in favor of the motion were Council President Wallace F. Lees, Councilors Jacqueline Zahn, William A. Andrews, Nancy F. Binns, Ronald E. Faford and William E. Gonyea. Councilor Margaret L. Dudley was excused.

05-341 VOTED to open the correspondence from Council President Wallace F. Lees regarding his request to schedule a workshop for

considerations and discussions relative to covenants and requests for proposals for Commerce Park.

Motion by Councilor Jacqueline Zahn. Seconded by Councilor William A. Andrews. The motion was unanimous by the six members present. Voting in favor of the motion were Council President Wallace F. Lees, Councilors Jacqueline Zahn, William A. Andrews, Nancy F. Binns, Ronald E. Faford and William E. Gonyea. Councilor Margaret L. Dudley was excused.

VOTED to schedule a workshop for 6:00 P.M. on November 9, 2005.

Motion by Councilor Ronald E. Faford. Seconded by Councilor William A. Andrews. The motion was unanimous by the six members present. Voting in favor of the motion were Council President Wallace F. Lees, Councilors Jacqueline Zahn, William A. Andrews, Nancy F. Binns, Ronald E. Faford and William E. Gonyea. Councilor Margaret L. Dudley was excused.

05-342 VOTED to accept with regret the resignation of Mary Bernadette Elliott from the Callahan Building Committee and refer to the Screening Subcommittee.

Motion by Councilor Jacqueline Zahn. Seconded by Councilor William A. Andrews. The motion was unanimous by the six members present. Voting in favor of the motion were Council President

Wallace F. Lees, Councilors Jacqueline Zahn, William A. Andrews, Nancy F. Binns, Ronald E. Faford and William E. Gonyea. Councilor Margaret L. Dudley was excused.

.05-343 VOTED to open the correspondence from Aram P. Jarret, Jr., regarding his request that the Town Council authorize an authorized signature granting an easement to Maplehill Mobile Home Park Association.

Motion by Councilor Jacqueline Zahn. Seconded by Councilor Nancy F. Binns. The motion was unanimous by the six members present. Voting in favor of the motion were Council President Wallace F. Lees, Councilors Jacqueline Zahn, William A. Andrews, Nancy F. Binns, Ronald E. Faford and William E. Gonyea. Councilor Margaret L. Dudley was excused.

Discussion: Walter J. Kane, Town Solicitor, explained that the water line had crossed the Town road for many years. The Rural Redevelopment Agency has requested an easement from the Town to allow the water line to remain.

VOTED to authorize the Town Manager to sign the easement.

Motion by Councilor William A. Andrews. Seconded by Councilor Jacqueline Zahn. The motion was unanimous by the six members present. Voting in favor of the motion were Council President

Wallace F. Lees, Councilors Jacqueline Zahn, William A. Andrews, Nancy F. Binns, Ronald E. Faford and William E. Gonyea. Councilor Margaret L. Dudley was excused.

9. Town Clerk/Communication:

05-344 VOTED to support a resolution related to lyme disease prevention as requested by the Town Council of the Town of South Kingstown.

Motion by Councilor William E. Gonyea. Seconded by Councilor Ronald E. Faford. The motion was unanimous by the six members present. Voting in favor of the motion were Council President Wallace F. Lees, Councilors Jacqueline Zahn, William A. Andrews, Nancy F. Binns, Ronald E. Faford and William E. Gonyea. Councilor Margaret L. Dudley was excused.

05-345 VOTED to support the approval of funding of the Inman Road traffic signal.

Motion by Councilor William A. Andrews. Seconded by Councilor Ronald E. Faford. The motion was unanimous by the six members present. Voting in favor of the motion were Council President Wallace F. Lees, Councilors Jacqueline Zahn, William A. Andrews, Nancy F. Binns, Ronald E. Faford and William E. Gonyea. Councilor Margaret L. Dudley was excused.

10. VOTED to accept the following reports:

- 1. Town Treasurer: September 2005**
- 2. Burrillville Sewer Commission: Report of September 2005 and Meetings of August 9, and September 13 and 27, 2005**
- 3. Tax Collector: September 2005**
- 4. Department of Public Works: September 2005**
- 5. Chief of Police: September 2005**
- 6. Office of Building Official: September 2005**
- 7. Animal Control Officer: September 2005**
- 8. Burrillville Housing Authority: Meeting of September 6, 2005**
- 9. Planning Board: Meeting of September 12, 2005**
- 10. Zoning Board of Review: No report**
- 11. Town Planner: No report**
- 12. Parks and Recreation Department: October 2005**
- 13. Information Systems Department: October 2005**
- 14. Burrillville Conservation Commission: Meeting of August 9, 2005**
- 15. Juvenile Hearing Board: No report**
- 16. Ordinance Subcommittee: Meeting of September 1, 2005**
- 17. Redevelopment Agency: No report**
- 18. Route 102 Study Commission: No report**
- 19. BOSAP: Meeting of September 15, 2005**
- 20. Personnel Board: No report**
- 21. Screening Subcommittee: No report**

- 22. Downtown Pascoag and Neighborhood Association: No report**
- 23. Budget Board: No report**
- 24. Library Building Committee: No report**
- 25. Burrillville School Committee: No report**
- 26. Library Fundraising Committee: Meetings of September 21, and September 26, 2005**
- 27. Callahan School Renovation Committee: Meeting of August 9, 2005**

11. Additional New Business:

05-346 VOTED to grant the request for Executive Session from Michael C. Wood, Town Manager pursuant to Rhode Island Open Meeting Law [42-46-5 (a)(2)] for review and discussions relating to litigation matters and [42-46-5 (a)(5)] for discussion and considerations related to the acquisition, sale or exchange of real property.

Motion by Councilor William A. Andrews. Seconded by Councilor Jacqueline Zahn. The motion was unanimous by the six members present. Voting in favor of the motion were Council President Wallace F. Lees, Councilors Jacqueline Zahn, William A. Andrews, Nancy F. Binns, Ronald E. Faford and William E. Gonyea. Councilor Margaret L. Dudley was excused.

There was a brief recess before the Town Council convened in

Executive Session.

The Town Council returned to open session at 9:03 P.M.

VOTED to send letters to the three named people, who inquired into land, that the Town Council is not selling the property at this time.

Motion by Councilor Jacqueline Zahn. Seconded by Councilor Ronald E. Faford. The motion carried, five in favor, one recusal, one excused. Voting in favor of the motion were Council President Wallace F. Lees, Councilors Jacqueline Zahn, William A. Andrews, Nancy F. Binns and Ronald E. Faford. Councilor William E. Gonyea recused. Councilor Margaret L. Dudley was excused.

VOTED to seal the minutes of the executive session; there were no votes taken.

Motion by Councilor Jacqueline Zahn. Seconded by Councilor William A. Andrews. The motion was unanimous by the six members present. Voting in favor of the motion were Council President Wallace F. Lees, Councilors Jacqueline Zahn, William A. Andrews, Nancy F. Binns, Ronald E. Faford and William E. Gonyea. Councilor Margaret L. Dudley was excused.

VOTED to adjourn at 9:04 P.M.

Motion by Councilor Jacqueline Zahn. Seconded by Councilor Nancy F. Binns. The motion was unanimous by the six members present. Voting in favor of the motion were Council President Wallace F. Lees, Councilors Jacqueline Zahn, William A. Andrews, Nancy F. Binns, Ronald E. Faford and William E. Gonyea. Councilor Margaret L. Dudley was excused.

The meeting was taped. The tape is on file with the minutes.

Louise R. Phaneuf, Town Clerk